

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1182 of 2022

Arising Out of PS. Case No.-223 Year-2021 Thana- JHAJHA District- Jamui

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Ashraf Ali @ Batting Raja @ Raja S/o Late Manjoor @ Manzur Alam
Resident of Village - Baturbari Mumtaz Chowk, P.S. - Tarabari, District -
Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 19-07-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Jhajha
P.S. Case No. 223 of 2021 registered for the offence under
Sections 419, 420, 500, 504 and 506 of the Indian Penal Code
and Section 66 (D) of IT Act, 2000.

The accused/petitioner is named in the F.I.R. and is in
custody since 22.07.2021.



The allegation against the petitioner is to abuse over telephone and also to clone the official mobile number of the informant, who is officer-incharge of Jhajha police station, District- Jamui, Bihar.

Learned counsel appearing on behalf of the petitioner submitted that the nothing surfaced during the course of investigation, which may suggest that petitioner was involved in alleged cloning of official mobile number of the informant and there is no inducement, as alleged, on the part of the petitioner, for which petitioner is in custody since 22.07.2021. It is further submitted that reason of the occurrence is the breaking of the engagement of petitioner with one Nikhat Praveen. It is pointed out that petitioner is involved in one another criminal case, in which he is on bail. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer of bail, submitted that petitioner is involved in similar nature of offences.

Considering the facts and circumstances as mentioned above, as there is no inducement on the part of the petitioner



coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Jhajha P.S. Case No. 223 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui/concerned Court, subject to the following conditions:

“(i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.

(iii) That one of the bailors shall be



Raushan, who is the mother of the petitioner
and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

Ankit/-

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